

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 13, 2009

The City Council convened in Regular Session on Tuesday, October 13, 2009, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Larry Muench presiding, and the Honorable Mayor Patricia M. York, and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: None The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.
File #47000

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

BICENTENNIAL EVENTS

The following items were presented to commemorate the 200th Anniversary of the City of St. Charles:

Lewis & Clark Fife and Drum Corps

The Lewis & Clark Fife and Drum Corps performed two songs.

President of the Council Larry Muench read an entry from the historic records of the City of St. Charles.

Opening Remarks by Mayor Patricia M. York

The Honorable Mayor Patricia M. York gave opening remarks relative to the Bicentennial of the City of St. Charles.

Recognition of Volunteers and Staff Serving on the Bicentennial Committee

The Honorable Mayor Patricia M. York recognized former Mayor Doug Boschert; and the volunteers and staff serving on the Bicentennial Committee and staff who assisted with the Bicentennial Events.

Recognition of Winners of the High School Senior Essay Contest

The Honorable Mayor Patricia M. York recognized the following High School Seniors who received top honors in the essay contest, each earning a \$500 award:

- Brett Nardoni – Orchard Farm High School
- Matthew Gualdoni – St. Charles High School
- Catherine Gravemann – St. Charles High School
- Marissa Hundelt – Orchard Farm High School
- William Kleine – St. Charles West High School

Recognition of Competition Finalist in the Saint Charles Star Competition

The Honorable Mayor Patricia M. York recognized the following winners of the Saint Charles Star Competition:

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- Junior Star Winner – Kelsey McIroy
- Adult Star Winners
 - First Place – Chelsea Cullom
 - Second Place – Marty Charleville
 - Third Place – Kendra Smizer

Recognition by Beautification Commission of the Gardening Contest Winners

The Honorable Mayor Patricia M. York recognized the following winners of the Gardening Contest sponsored by the Beautification Commission:

- Small Residential – Lucille Wiechens, 69 St. Edith Court
- Large Residential – Annette Dean, 624 Jackson Street
- Small Business – Bittersweet Inn, 1101 North Third Street
- Large Business – Lewis & Clark Boat House and Nature Center, 1050 South Riverside Drive
- Small Community Organization – Immanuel Lutheran School, 115 South Sixth Street
- Large Community Organization – Youth in Need, 1815 Boone's Lick Road

The Honorable Mayor Patricia M. York recognized the sculptor of the Bicentennial Tree, Wayne Trinklein; and announced that the school children who donated coins through the Bicentennial Program will have their names attached to the tree.

Vice President of the Council Laurie Feldman read an entry from the historic records of the City of St. Charles.

Presentation of Awards for Entries in the Bicentennial Parade

The Honorable Mayor Patricia M. York recognized the following winning entries in the Bicentennial Parade:

- Group Appeal – Luetkenhaus Family
- Best Design – Bob Ermeling, Jehling Hardware
- Best Musical – St. Charles Municipal Band
- Most Historic – Academy of the Sacred Heart

Honoring Bicentennial Babies Born at SSM St. Joseph Health Center on October 13, 2009 as of 7:00 p m.

The Honorable Mayor Patricia M. York announced that two babies have been born at SSM St. Joseph Health Center on October 13, 2009.

PUBLIC HEARINGS

The President of the Council Larry Muench announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

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- A. Case No. CU-25-09. (Celebration House – Wilma Carr). An application for a Conditional Use Permit from §156.026(D)(1)(I) within the R-1E Single-Family Residential District for a group home, specifically to operate a group home for no more than four (4) adult women and one (1) house manager at 13 Ridgeview Court. The subject property is 0.16 acres and is located in Ward 2. ***(RCA Attached)***
- B. Case No. CU-26-09. (James J. Wetter) An application for a Conditional Use Permit from §156.040(C) within the FHCD Frenchtown Historic Commercial District for an auto repair and detailing business, specifically to expand an existing automotive detailing business at 1801 North Second Street. The subject property is 0.24 acres and is located in Ward 1. ***(Public Hearing was tabled at Planning & Zoning; Therefore the Public Hearing should be continued to November 3, 2009)***
- C. Case No. CU-29-09 and SP-29-09. (Clayton Engineering – Michael Velloff). An application for a Conditional Use Permit from §156.033(C)(1)(a) within the C-2 General Business District for In-Vehicle Sales, specifically to operate a fast food drive-thru window (White Castle) at 2000 South Old Highway 94. The subject property is 1.172 acres and is located in Ward 4. ***(RCA Attached)***
- D. Case No. CU-32-09. (Bass Pro Shops – Andrea Walters) An application for a Conditional Use Permit from §156.156.094(C) within the C-3 Highway Business District for a temporary retail sales event, specifically to hold a special sales event from Friday, November 20, 2009 through Tuesday, December 1, 2009 at 1365 South Fifth Street. The subject property is 3.75 acres and is located in Ward 2. ***(RCA Attached)***
- E. Case No. CU-33-09. (Valvoline Instant Oil Change – Bill Whitehill) An application for a Conditional Use Permit from §156.094(C) within the C-3 Highway Business District for a temporary retail sales event, specifically to hold a customer appreciation day with outside tents on Wednesday, November 11, 2009 at 2200 First Capitol Drive. The subject property is 0.49 acres and is located in Ward 2. ***(RCA Attached)***
- F. Case No. Z-14-09. (Energy Marketing 1226 LLC) An application to rezone a tract of land from the R-1E Single-Family Residential District to the C-3 Highway Business District. The 0.65 acre parcel is a Missouri Department of Transportation (MODOT) remnant from the Boone's Lick Road realignment and is now a part of 2300 First Capitol Drive. The subject property is located in Ward 2. ***(Council Bill 10036)***
- G. Case No. Z-15-09. (Arch Motel Corp. – Jagdish C. Patel) An application to rezone a tract of land from the C-2 General Business District to the C-3 Highway Business District. The 2.0 acre parcel is known as 3717 Veterans Memorial Parkway and is located in Ward 6. ***(Public Hearing was tabled at Planning & Zoning; Therefore the Public Hearing should be continued to November 3, 2009)***

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- H. Case No. Z-16-09. (Missouri Department of Natural Resources - DNR) An application to rezone a parcel of land in the process of annexing into the City. The property is a portion of the Katy Trail from Interstate 70 south to the Family Arena. The applicant is requesting to rezone the property from the County A Agricultural to the City C-2 General Business District. The property contains approximately 7.83 acres and will be located in Ward 3 upon annexation. **(Council Bill 10037)**
- I. Public Hearing to Consider Proposed Phase One Improvements in Conjunction with the Streets of St. Charles at Noah's Ark Neighborhood Improvement District **(RCA Attached)**
- J. Capital Improvement Plan, Fiscal Years 2010-2015 **(Resolution)**

RESOLUTIONS/AWARDS/PROCLAMATIONS

Resolution Approving the Capital Improvement Plan, Fiscal Years 2010-2015 *(Sponsors: All Members of the City Council)*

A motion was made by MICHAEL KLINGHAMMER to hold the Resolution pending recommendation by the City Facilities Task Force. DAVE BECKERING seconded the motion. A voice vote was taken, with all in favor except Vice President of the Council Laurie Feldman. Motion passed.

Resolution relative to the Capital Improvement Plan, Fiscal Years 2010-2015 was held.

A Resolution Declaring Certain Real Property Excess or Unneeded for Public Use and Authorizing the Initiation of the Process to Facilitate its Disposal *(Sponsor Laurie Feldman)*

A roll call vote was taken, with the following results:

Passed "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit
"Nay": None
Absent: None

Approved by the Honorable Mayor on October 15, 2009, and is known as **Resolution R09-24**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 10029 Authorizing the Issuance of Taxable Industrial Revenue Bonds (MiTek Industries, Inc. Project)

Dan Dozier, Superintendent, Orchard Farm School District, 2165 Highway V, spoke in opposition to Council Bill 10029.

Carl Sandstedt, St. Charles City County Library, P. O. Box 529, St. Peters, Missouri, spoke in opposition to Council Bill 10029.

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BILLS FOR FINAL PASSAGE

Bill 10021 (Substitute Bill No. 1)

An Ordinance Approving an Administrative Regulation Relating to Reimbursement for Footwear – Safety Sensitive Positions (*Sponsor: Erv Ermeling*)

Passed “Aye”: Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

“Nay”: None

Absent: None

Approved by the Honorable Mayor on October 15, 2009, and is known as **Ordinance 09-186**

Bill 10024 (Failed)

An Ordinance Repealing Ordinance 09-163 and Enacting a New Ordinance to Repeal Section 38.01 of the Code Ordinances and Enact a New Section 38.01 Establishing Ward Boundaries (*Sponsors: Michael Weller and Jerry Reese*)

A separate vote was taken on Council Bill 10024, with the following results:

Failed “Aye”: Feldman, Klinghammer, Reese, Stivison, and Weller

“Nay”: Ermeling, Kneemiller, Muench, Veit, and Beckering

Absent: None

Council Bill 10024 failed passage.

File #47227

Bill 10029

An Ordinance Authorizing the City of St. Charles, Missouri, to Issue its Taxable Industrial Revenue Bonds (MiTek Industries, Inc. Project), Series 2009, in a Principal Amount Not to Exceed \$7,126,750 for the Purpose of Providing Funds to Pay the Costs of Purchasing, Constructing, Installing and Equipping a Facility for an Industrial Development Project in the City; Approving a Plan for the Project; and Authorizing the Mayor to Enter into Certain Agreements and Take Certain Other Actions in Connection with the Issuance of the Bonds (*Sponsor Michael Klinghammer*)

A separate vote was taken on Council Bill 10029, with the following results:

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Stivison, Weller, and Beckering

“Nay”: Reese, Veit, and Ermeling

Absent: None

Approved by the Honorable Mayor on October 15, 2009, and is known as **Ordinance 09-187**

Bill 10030 (Failed)

An Ordinance Amending Chapter 119 of the Code of Ordinances of the City of St. Charles, by Deleting the Subchapter Entitled “Vendors in Main Street Mall and Other Locations” in its Entirety as Enacting a New Subchapter Consisting of Eight (8) Sections Relative to Mobile Vending Carts on Main Street (*Sponsor Richard Veit*)

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A separate vote was taken on Council Bill 10030, with the following results:

Failed “Aye”: Veit and Ermeling

“Nay”: Klinghammer, Kneemiller, Muench, Reese, Stivison, Weller, Beckering, and Feldman

Absent: None

Council Bill 10030 failed passage.

File #47228

Bill 10032

An Ordinance Authorizing a Police Services Agreement with the Saint Charles R-VI School District for Two (2) School Resource Officers for the Period of July 1, 2009 Through June 30, 2012 *(Sponsor: Jerry Reese)*

Passed "Aye": Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: None

Approved by the Honorable Mayor on October 15, 2009, and is known as **Ordinance 09-188**

BICENTENNIAL EVENTS (Continued)

Readings from Historical Meeting Minutes

Councilmember Michael Weller read an entry from the historic records of the City of St. Charles.

Councilmember Michael Klinghammer read an entry from the historic records of the City of St. Charles.

BILLS FOR INTRODUCTION

The following Council Bills were introduced.

Bill 10033

An Ordinance Amending Chapter 131 of the Code of Ordinances of the City of St. Charles, Missouri by Repealing Section 131.10 in its Entirety and Enacting Five (5) New Sections Related to “Residency, Loitering and Activity Limitations For Certain Offenders” (Sponsor: Larry Muench)

Bill 10034

An Ordinance Authorizing a Membership Agreement Between the Eastern Missouri Law Enforcement Training Academy and the City of St. Charles to Provide Classes and Training in Accordance with Standards Established by the Missouri Peace Officers Standards and Training Commission *(Sponsor: Larry Muench)*

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Bill 10035

An Ordinance Amending Section 156.040 of the Code of Ordinances Pertaining to Frenchtown Historic Commercial District (FHCD) *(Sponsor: Richard Veit)*

Bill 10036

An Ordinance Rezoning to Zoning District C-3 (Highway Business District) from Zoning District R-1E (Single-Family Residential District) a 0.65 Acre Parcel of Land, a Missouri Department of Transportation (MODOT) Remnant from the Boone's Lick Road Realignment Now a Part of 2300 First Capitol Drive *(Sponsor: Larry Muench)*

Bill 10037

An Ordinance Rezoning to City Zoning District C-2 (General Business District) from County Zoning District A (Agricultural District), a 7.83 Acre Portion of the KATY Trail Land Located Between Interstate 70 South to the St. Charles Family Area *(Sponsor: Laurie Feldman)*

Bill 10038

An Ordinance Approving the Record Plat for The New Town at St. Charles Plat Six-H, a Subdivision of the City of Saint Charles, Missouri *(Sponsor: Michael Klinghammer)*

Bill 10039

An Ordinance Approving the Record Plat for The New Town at St. Charles Plat Three-C, a Subdivision of the City of Saint Charles, Missouri *(Sponsor: Michael Klinghammer)*

Bill 10040

An Ordinance Amending Chapter 97 of the Code of Ordinances Pertaining to Noise Control by Enacting a New Section to be known as Section 97.12 to Incorporate the Urban Code for New Town at St. Charles Section 1.3.9.b, General Ambient Standards into the Code of Ordinances *(Sponsor: Michael Klinghammer)*

Bill 10041

An Ordinance Vacating a Portion of an Easement Comprising Approximately 58.96 Square Feet Located Within Lot 2 of "Lots 1 and 2 of Boulder Springs" *(Sponsor: Laurie Feldman)*

Bill 10042

An Ordinance Authorizing Acceptance of Development Improvements of Water, Storm Sewer, Sanitary Sewer and Their Appurtenances at Hineman Woods Estates and Release of Security *(Sponsor: Erv Ermeling)*

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Bill 10043

An Ordinance Authorizing Acceptance of Development Improvements of Streets, Storm Sewer, Sanitary Sewer, Water and Their Appurtenances at Charlestowne Plat 1 for the Section Completed by Consort Homes and Release of Security (*Sponsor: Erv Ermeling*)

Bill 10044

An Ordinance Authorizing a Contract with Wehmeyer Farms for the Emergency Creek Bank Stabilization Project at 1787 and 1803 Buckingham Green Court in an Amount Not to Exceed \$225,413.50 (*Sponsors: Erv Ermeling, Bob Kneemiller, Michael Weller*)

Bill 10045

An Ordinance Authorizing a Contract with Ideal Landscape Group for the Emergency Creek Bank Stabilization Project at 1917 Park and 145 College in an Amount Not to Exceed \$224,795.00 (*Sponsors: Erv Ermeling, Dave Beckering, Ron Stivison*)

Bill 10046

An Ordinance Authorizing the Mayor and City Clerk to Execute Agreements with Social Service Agencies for Administering Programs Benefiting St. Charles Citizens Utilizing Community Development Block Grant Funds for the Program Year January 1, 2009 – December 31, 2009 (*Sponsor: Jerry Reese*)

Bill 10047

An Ordinance Authorizing a Development NID Interim Finance Agreement with St. Charles - Noah Development LLC; Authorizing and Directing the Execution and Delivery Thereof; and Providing Further Authority in Connection Therewith (*Sponsors: Bob Kneemiller and Laurie Feldman*)

Bill 10049

An Ordinance Authorizing a Contract with Wright Construction Services, Inc. for the Construction of the Mississippi River Wastewater Treatment Plant – Maintenance Building Upgrade in an Amount Not to Exceed \$356,000.00 (*Sponsor: Erv Ermeling*)

Bill 10050

An Ordinance Designating Enterprise Bank & Trust a Depository of the City of St. Charles, Missouri; Authorizing the Establishment of a Joint Checking Account Titled “The City of St. Charles, Missouri and St. Charles County Convention and Sports Facilities Authority” at Enterprise Bank & Trust; and Designating Persons Authorized to Sign Checks on Behalf of the City (*Sponsor: Larry Muench*)

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BICENTENNIAL EVENTS (Continued)

Readings from Historical Meeting Minutes

Councilmember Jerry Reese read an entry from the historic records of the City of St. Charles.

Councilmember Erv Ermeling read an entry from the historic records of the City of St. Charles.

Councilmember Richard Veit read an entry from the historic records of the City of St. Charles.

CONSENT AGENDA

Councilmember Mike Weller removed *Item 9 G 12 Liquor License Application for Stephen Hupp, d/b/a Java G's, located at 2031 Old Hwy 94 South* from the consent agenda. A motion was made by BOB KNEEMILLER to receive and approve the Consent Agenda. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, and Klinghammer. "Nay": None. Absent: None. Motion passed.

- A. Approval of Council Minutes
Regular City Council Meeting of September 15, 2009
- B. Approval of Council Committee Reports
 - 1. Approval of Council Committee Minutes
 - a. Community Freedom Center Oversight Committee Meeting of July 13, 2009
File #47096
 - b. Convention Center Oversight Committee Meeting of August 3, 2009
File #47095
 - c. Convention Center Oversight Committee Meeting of August 25, 2009
File #47095
 - d. Street Committee Meeting of September 8, 2009
File #47026
 - e. Council Work Session of September 8, 2009
File #47016
 - f. Fire Station Design Team Committee Meeting of September 14, 2009
File #47017
 - g. Council Work Session of September 15, 2009
File #47016

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2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Community Freedom Center Oversight Committee Meeting of July 13, 2009
 - i. Motion to Authorize Chairman Patrick Banger and Vice Chairman Patricia M. York to Negotiate a Price with Hastings & Chivetta to Design the MAC Gym; and to Amend the Original Contract with Hastings & Chivetta if the Price for the Design of the MAC Gym is a Reasonable Cost
 - b. Convention Center Oversight Committee Meeting of August 3, 2009 *(None)*
 - c. Convention Center Oversight Committee Meeting of August 25, 2009
 - i. Motion to Approve the 2010 Operating Budget as Submitted
 - d. Street Committee Meeting of September 8, 2009
 - i. Motion to Have Staff Prepare a Bill for Introduction to Establish Parking Restrictions on Both Sides of the Alley Located Between and Parallel to First Capitol Drive and Jackson Street from the Western Curb Line of Seventh Street West 160 Feet
 - ii. Motion for Sr. Traffic Engineer Rick Lewis to Investigate the Yellow Curbing Located at the Stop Sign at Seventh Street and First Capitol Drive to Determine if the Yellow Curbing Needs Painting; and to Contact the Police Department to Discuss the Violations of the Delivery Trucks at Mt. Carmel and the Parking Restriction at Stop Signs
 - iii. Motion to Accept Staff's Recommendation not to Install a Multi-Way Stop Sign at Fourth Street and Jackson Street
 - iv. Motion to Accept Staff's Recommendation that the Intersection of Lindenwood Avenue and Jol Runs Place Remain a One-Way Stop with Jol Runs Place Traffic Stopping at Lindenwood Avenue
 - v. City Owned Property Located at Elm Street and Duchesne (2525 Elm Street) - Motion to Recommend to the Entire Council that Lots 4 and 5 with Combined Easements be Advertised for Public Bid; and that Lot 3 be Retained by the City for Green Space
 - e. Amending Schedule II, Subsection (A) of Chapter 78 of the Council Work Session of September 8, 2009

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- i. Motion to Remove *SG-7 Fifth St. and Pike St. Pedestrian Signal Replacement* from the Capital Improvement Program
 - f. Fire Station Design Team Committee Meeting of September 14, 2009
 - i. Motion to Proceed with the Design Plan with the Changes Presented
 - g. Council Work Session of September 15, 2009 (*None*)
 - C. Receipt of Reports from Boards, Commissions or Committees
 - 1. Citizens with Disabilities Advisory Board Meeting of July 22, 2009
File #47163
 - 2. Oktoberfest Committee Meeting of August 10, 2009
File #47112
 - 3. July 4th Celebration Committee Meeting of August 12, 2009
 - a. Motion to Authorize \$6,000 for the Pole Vaulting Event in 2010, with Payment of \$3,000 now and remainder to be paid in 2010
File #47098
 - 4. Arts & Culture Commission Meeting of August 20, 2009
 - a. Motion to Approve the Following:
 - i. St. Charles County Symphony - \$5,000
 - ii. Fete de Glace - \$4,000
 - iii. Shakespeare in the Park – Additional \$345.97 for a Total of \$3,745.97
File #47059
 - 5. Citizen Advisory Frontier Park Pavilion Committee Meeting of August 3, 2009
File #47202
 - 6. Board of Public Works Meeting August 13, 2009
 - a. Motion to Recommend Approval of the Revisions to Section 154.055 of the City Code of Ordinances Relative to Construction of Improvements or Surety Bond Required
 - b. Motion to Recommend Approval of the Acquisition of Land Required for the Bridge Culvert Maintenance Project
 - c. Motion to Recommend Approval of the Acquisition of Land Required for the Boone's Lick Box Culvert Repair Project
 - d. Motion to Recommend Approval of the Acquisition of Land Required for the Emergency Creekbank Stabilization project
File #47072
 - 7. Citizens with Disabilities Meeting of August 26, 2009
File #47163

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| File #47219 | 8. | Human Relations Commission Meeting of August 6, 2009 |
| File #47043 | 9. | Economic Development Commission Meeting of August 6, 2009 |
| File #47043 | 10. | Economic Development Commission Meeting of September 3, 2009 |
| File #47113 | 11. | Veterans Commission Meeting of August 10, 2009 |
| File #47219 | 12. | Human Relations Commission Meeting of September 10, 2009 |
| File #47101 | 13. | Beautification Commission Meeting of August 5, 2009 |
| File #47073 | 14. | Cable Television Commission Meeting of April 1, 2009 |
| | i. | Motion to Approve the Top Two Goals of the Commission as Presented |
| File #47073 | 15. | Cable Television Commission Meeting of June 3, 2009 |
| | i. | Motion to Approve the Cable Television Commission Mission Statement |
| File #47073 | | |
| | D. | Receipt of Reports of the Director of Administration |
| File #47004 | 1. | Notice of Emergency Purchases |
| File #47229 | 2. | Request to Fill Vacant Position in the Public Works Department |
| | E. | Approval of Contracts and Easements from \$30,001 - \$99,999 |
| File #47230 | 1. | Contract with Crawford, Bunte, Brammeier for Old Highway 94 South Right Turn Lane Improvement Project in the amount of \$34,620.00 |
| File #47231 | 2. | Contract with Crawford, Bunte, Brammeier for Change Order #2 for the Fifth Street Corridor Phase 2 Improvements project in an amount of \$6,923.30 |
| File #47232 | 3. | Knapheide Truck Equipment Center for purchase of a Knapheide Model 6203HC service Body in the amount of \$49,825.00 |
| | F. | Preliminary Plats |
| | | None |

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| G. | Miscellaneous |
| File #47008 | 1. Update and Status Report on the Emergency Creekbank Stabilization Project |
| File #47057 | 2. Investment Report for August 2009 |
| File #47233 | 3. Report of the City Clerk Relative to Disposal of Various Records Pursuant to the Missouri Records Manual and State Records Law |
| File #47234 | 4. Receipt of the Proposed Annual Budget for 2010 as Submitted by the Board of Directors of the Elm & 370 Community Improvement District |
| File #47235 | 5. Receipt of the Proposed Annual Budget for 2010 as Submitted by the Board of Directors of the Veteran's Memorial Parkway Community Improvement District |
| File #47236 | 6. Receipt of the Proposed Annual Budget for 2010 as Submitted by the Board of Directors of the Fairgrounds Road Community Improvement District |
| File #47237 | 7. Receipt of the Proposed Annual Budget for 2010 as Submitted by the Board of Directors of the Plaza at Noah's Ark Community Improvement District |
| File #47238 | 8. Receipt of the Proposed Annual Budget for 2010 as Submitted by the Board of Directors of the Fountain Lakes Commerce Center North Community Improvement District |
| File #47239 | 9. Receipt of the Proposed Annual Budget for 2010 as Submitted by the Board of Directors of the Fountain Lakes Commerce Center South Community Improvement District |
| File #47005 | 10. Liquor License Application for George Loveless, d/b/a: Lush Wine & Spirits, located at 3212 - 1 Rue Royale |
| File #47005 | 11. Liquor License Application for Greg Upchurch, d/b/a: Grand Opera House Banquet Center, located at 311 North Main Street |
| | 12. Liquor License Application for Stephen Hupp, d/b/a: Java G's, located at 2031 Old Hwy 94 South |
- REMOVED FROM THE CONSENT AGENDA

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13. Report of the Court Administrator of Monies Collected and deposited during the Month of September 2009
File #47056
14. Approval of Home Improvement Loans
File #47055

ITEMS REMOVED FROM THE CONSENT AGENDA

Item 9.G.12 Liquor License Application for Stephen Hupp, d/b/a: Java G's, located at 2031 Old Hwy 94 South

A motion was made by RICHARD VEIT to approve the liquor license application for Stephen Hupp dba Java G's, located at 2031 Old Highway 94 South. LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: "Aye": Muench, Reese, Stivison, Veit, Beckering, Ermeling, Feldman, Klinghammer, and Kneemiller. "Nay": None. Absent: None. Abstain: Weller. Motion passed.
File #47005

Written and/or Verbal Messages from the Mayor

Quilt National Exhibit at Foundry Art Centre The Honorable Mayor Patricia M. York announced that the Quilt National Exhibit will be displayed at the Foundry Art Centre until October 25, 2009.

Life is Good Festival. The Honorable Mayor Patricia M. York announced that the Life is Good Festival is scheduled for Saturday, October 17, 2009, in Frontier Park.

Ghost Stories at the Depot. The Honorable Mayor Patricia M. York announced that Ghost Stories at the Depot is scheduled for Friday, October 23rd and Saturday, October 24th.

Dogtober Adoption Event The Honorable Mayor Patricia M. York announced that the Dogtober Adoption Event is scheduled for Saturday, October 24, 2009, in DuSable Park.

Trick or Treating on Main Street. The Honorable Mayor Patricia M. York announced that Trick or Treating on Main Street is scheduled for October 30, 2009, from 3:00 p.m. – 5:00 p.m. on North and South Main Street.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

Bicentennial Events. Councilmember Bob Kneemiller thanked Mayor Patricia M. York for all her efforts in making the Bicentennial Events a success.

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TABLED BILLS/PUBLIC HEARINGS

Bill 10013

An Ordinance Amending Chapter 113 of the Code of Ordinances of the City of St. Charles, Missouri by Amending Sections 113.02, 113.03, 113.15, 113.19, 113.30, 113.35 and 113.40 to Reduce the License Tax for Electricity, Gas and Telephone; Eliminate the Refund of License Fees to Elderly Residents; and Provide Effective Dates Thereof.

(Sponsors: Dave Beckering and Richard Veit)) (Tabled at the September 1, 2009,

Regular Council Meeting)

There was no action taken on Council Bill 10013

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12); with the following results: "Aye": Stivison, Veit, Weller, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench. "Nay": Reese and Beckering. Absent: None. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 9:10 p.m.

November 3, 2009

Date Approved

Marilyn X. McCoy
City Clerk

L. P. Muench
Larry Muench, Presiding Officer